

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

<b>In Re:</b>	)	<b>17-11963</b>
	)	
<b>TIMOTHY MORRISON,</b>	)	<b>Chapter 13</b>
	)	
<b>Debtor.</b>	)	<b>Hon. Judge: CASSLING</b>

**NOTICE OF MOTION**

*To the following persons or entities who have been served via electronic mail:*  
U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov  
Marilyn O. Marshall, Chapter 13 Trustee: [ecf@tvch13.net](mailto:ecf@tvch13.net)

*To the following persons or entities who have been served via U.S. Mail:* See attached list.

PLEASE TAKE NOTICE that on **January 14, 2021, at 9:30 A.M.**, I will appear before the Honorable Judge **CASSLING**, or any judge sitting in that judge's place, and present the **Motion to Modify Chapter 13 Plan**, a copy of which is attached.

**This motion will be presented and heard electronically using Zoom for Government.** No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

**To appear by video**, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

**To appear by telephone**, call Zoom for Government at 1-669-254-5252 or 1-646-828- 7666. Then enter the meeting ID and password.

**Meeting ID and password.** The meeting ID for this hearing is **161 414 7941** and the password is **619**. The meeting ID and password can also be found on the judge's page on the court's web site.

**If you object to this motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

**PROOF OF SERVICE**

The undersigned certifies that copies of this Notice and attachments were served to the listed persons or entities, if service by mail was indicated above, by depositing same in the U.S. Mail at Wheeling, Illinois 60090, on or before December 17, 2020, at 5:30 p.m., with proper postage prepaid, unless a copy was provided electronically by the Bankruptcy Court.

DATE OF SERVICE: December 17, 2020

/s/ Robert C. Bansfield Jr.

Robert C. Bansfield Jr., A.R.D.C. #6329415

Attorney for the Debtor  
DAVID M. SIEGEL & ASSOCIATES  
790 Chaddick Drive  
Wheeling, IL 60090  
(847) 520-8100  
[rbansfield@davidmsiegel.com](mailto:rbansfield@davidmsiegel.com)

*To the following persons or entities who have been served via U.S. Mail:*

Timothy Morrison  
31 1<sup>st</sup> St.  
Wheeling, IL 60090

Cavalry SPV I, LLC  
C/o Bass & Associates, P.C.  
3936 E. Ft. Lowell Rd., Suite #200  
Tucson, AZ 85712

Quantum3 Group LLC as agent for  
MOMA Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

Midland Funding, LLC  
Midland Credit Management, Inc. as agent  
for Midland Funding, LLC  
PO Box 2011  
Warren, MI 48090

LVNV Funding, LLC its successors and  
assigns as assignee of FNBM, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Department Stores National Bank  
c/o Quantum3 Group LLC  
PO Box 657  
Kirkland, WA 98083-0657

Capital One, N.A.  
c/o Becket and Lee LLP  
PO Box 3001  
Malvern PA 19355-0701

Premier Bankcard, LLC  
c/o Jefferson Capital Systems LLC  
PO Box 7999  
Saint Cloud, MN 56302-9617

LVNV Funding, LLC its successors and  
assigns as assignee of Citibank, N.A.  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Portfolio Recovery Associates, LLC  
Successor to CITIBANK, N.A.  
PO Box 41067  
Norfolk, VA 23541

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<b>In Re:</b>	)	<b>17-11963</b>
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<b>TIMOTHY MORRISON,</b>	)	<b>Chapter 13</b>
	)	
<b>Debtor.</b>	)	<b>Hon. Judge: CASSLING</b>

**MOTION TO MODIFY CHAPTER 13 PLAN**

NOW COMES the Debtor, **Timothy Morrison**, by and through his attorneys, David M. Siegel & Assoc., LLC, to present this Motion, and in support thereof states as follows:

- 1) This Court has jurisdiction pursuant to 28 U.S.C. § 1334 and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois Eastern Division.
- 2) On April 17, 2017, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, and the Chapter 13 plan was confirmed on July 13, 2017. Tom Vaughn was the Trustee appointed in this case.
- 3) The Debtor's Chapter 13 plan provides for payments of \$1,050.00 per month for at least 36 months, with payments to the General Unsecured Creditors of 100% of their allowed claims.
- 4) Debtor is no longer receiving the same worker's compensation pay that he was at the beginning of his bankruptcy case. Debtor is also no longer married.
- 5) Debtor is only receiving Social Security income and a small monthly payment from his worker's compensation.
- 6) These changes have caused a decrease in the Debtor's disposable income as well his plan payment default.
- 7) With these changes, Debtor cannot make the current \$1,050.00 a month plan payment.

- 8) Debtor seeks to modify his plan under 11 U.S.C. § 1329, decrease his monthly payment, and defer the current default over the remaining span of the plan. Debtor seeks to decrease his monthly plan payment to \$670.00 per month.
- 9) The plan will still complete within 60 months if the Debtor's motion is granted and unsecured creditors will still receive 100% of their allowed claims.
- 10) With this plan payment change, Debtor will be able to resume making his monthly bankruptcy payments.
- 11) This proposal is made in good faith and without the intent to defraud creditors.

WHEREFORE, the Debtor, **Timothy Morrison**, prays that this Honorable Court enter an Order to Modify the Chapter 13 Plan and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Robert C. Bansfield Jr.

Robert C. Bansfield Jr., A.R.D.C. #6329415  
Attorney for the Debtor

David M. Siegel & Associates, LLC  
790 Chaddick Drive  
Wheeling, IL 60090  
(847) 520-8100  
[rbansfield@davidmsiegel.com](mailto:rbansfield@davidmsiegel.com)